



**Report on the Principles and Effectiveness of  
the Family Violence Education Program  
and  
Connecticut's Domestic Violence Dockets and  
Related Programs**

Submitted pursuant to section 20 of P.A. 11-152,  
*An Act Concerning Domestic Violence*

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## **Introduction**

Section 20 of P.A. 11-152, *An Act Concerning Domestic Violence*, requires the Judicial Branch to conduct two studies and to submit a report on those studies to the Judiciary Committee. The following excerpt from the bill sets out this requirement in more detail:

*(a) The Chief Court Administrator shall conduct a study of the principles and effectiveness of the pretrial family violence education program established in section 46b-38c of the general statutes, as amended by this act, using a results-based accountability framework. The study shall include, but not be limited to, the identification of goals of the program, the identification of fundamental elements and critical components of the program, an assessment of short-term and long-term outcomes of the program, an assessment of the feasibility and cost of extending the pretrial family education program beyond the nine weeks currently provided, an assessment of the feasibility and cost of extending programs known as EVOLVE and EXPLORE to all regions of the state, and a comparison of the program to pretrial diversionary domestic violence programs used in other Northeastern states.*

*(b) The Chief Court Administrator shall conduct a study of the principles and effectiveness of the domestic violence dockets in this state and related contracted programs using a results-based accountability framework. The study shall include, but not be limited to, the identification of the goals, fundamental elements and critical components of the dockets, and the identification of short-term and long-term outcomes of the dockets and related contracted programs.*

This report is submitted pursuant to that requirement.

Section 1 of the report addresses the Family Violence Education Program (FVEP). It includes a history of the FVEP and a Results-based Accountability (RBA) analysis of the principles and effectiveness of the program. It also addresses the legislative requirement to address the following areas: (1) compare Connecticut's program to those in other Northeastern states; (2) explore the expansion of the FVEP beyond nine weeks, and (3) explore the feasibility of expanding the EVOLVE and EXPLORE programs to all of Connecticut.

Section 2 of the report addresses domestic violence dockets and the domestic violence programs to which defendants in those docket sites are referred -- the EVOLVE and EXPLORE programs. It includes an overview of domestic violence dockets, goals and benchmarks for those dockets, and a Results-based Accountability (RBA) analysis of the principles and effectiveness of domestic violence dockets and related programs. Finally,

in order to provide a national perspective, it includes summaries of three major studies on domestic violence dockets.

**Note:** In order to provide the Committee with the most complete picture of these programs, we have presented our Results-based Accountability (RBA) analysis in the form of answers to the Eight Standard RBA Questions for All Programs, rather than a Report Card Template format.

## **Section I:**

### **Principles and Effectiveness of the Family Violence Education Program**

#### **Historical Perspective**

The pretrial Family Violence Education Program was established in 1986 pursuant to passage of the Family Violence Prevention and Response Act. This pretrial diversionary program was, and continues to be, designed as a short-term educational intervention for persons charged with family violence crimes and deemed eligible pursuant to C.G.S. §46b-38c. The purpose is to educate offenders regarding the impact of violence on relationships, assist them in developing an understanding of the harmful effects, and provide them with the building blocks of interpersonal skills to develop violence-free relationships. The original program was developed in consultation with Daniel Sonkin, Ph.D., who is nationally known for his group work with domestic violence offenders, and is the author of the book, *Learning to Live without Violence*. Dr. Sonkin modified and customized his model for Connecticut into a 6-week curriculum.

In 1997, a task force was established to review Connecticut's response to domestic violence. One of the recommendations was to expand the FVEP to include additional sessions. This was accomplished in 1998, when the FVEP was expanded to a 10-week model. Additional concepts were introduced into the program, including forming healthy relationships, addressing societal and cultural mores, sustaining positive change, and communication/conflict resolution strategies. The 10-week format was again modified to the current 9-week curriculum in 2003.

All providers of the FVEP are selected through the Request for Proposal (RFP) process that is required for vendors seeking to enter into a contract with the state. They are required by contract to offer a classroom-based program consisting of nine weekly sessions, each lasting 1.5 hours (13.5 total hours). Each FVEP module is co-facilitated by a female and male team. Every instructor must meet minimum qualifications that include a Masters Degree plus one year of experience, or a Bachelors Degree plus three years direct work with offender populations, knowledge of the dynamics associated with family violence, and expertise regarding victims and victimization. The role of the facilitator is to provide education and skills within a closely monitored criminal justice environment.

The contracted service providers are also monitored through a Judicial Branch-Court Support Services Division audit process during each fiscal year. This quality assurance measure includes the programmatic, operational, fiscal, contractual, and statistical oversight of the Family Violence Education Program. The audits include a review of offender files, identification of issues and development of corrective action plans as necessary, and contact with the referral sources for feedback. In 2009, Results-based Accountability measures were introduced to assess the effectiveness of the FVEP. Currently, all FVEP providers participate in quarterly meetings, at which time the RBA outcomes are shared on both a local and statewide basis. This on-going monitoring and audit process ensures that all programs are held to a high and consistent standard.

## **Results-Based Accountability Assessment of the Family Violence Education Program**

### ***1. What is the quality-of-life result to which the Family Violence Education Program makes the most important contribution?***

- All family members, past or present intimate partners, and those individuals involved in cohabitating relationships will live free from domestic violence and abuse.
- Connecticut citizens will live in safer communities.

### ***2. How does the Family Violence Education Program Contribute to this Result? (Identification of Goals of FVEP; Identification of Fundamental Elements and Critical Components)***

The purpose of the Family Violence Education Program is cessation of harm to victims of domestic violence and their children. The FVEP is a short-term cognitive behavioral intervention that introduces evidence-based information and constructs to offenders with the goal of ending their violent behavior. Acknowledging their abusive behavior and completing required homework assignments are effective mechanisms for holding family violence offenders accountable and, by doing so, ensuring greater safety for victims.

To accomplish this purpose, the program is based on four basic underlying tenets: (1) the primary goal of the program is to stop family violence, (2) a recognition that family violence is illegal behavior and will be treated as a criminal act under the law, (3) offenders will be more likely to utilize other means to resolve interpersonal conflicts if they are made aware of the consequences for their behavior, and (4) use of violence is a choice made by the offender that the victim does not cause, and the victim cannot be blamed for in any manner. These tenets are emphasized in all group sessions.

The FVEP session format includes the following elements:

- Check-In - During this part of the session, each participant briefly provides a report on his/her use of violence, abuse or control; use of alcohol/drugs, and feedback regarding the previous class.
- Incident Reporting - Each participant discusses a potential incident of abuse.
- Topic Discussion - A predetermined theme is discussed and explained to the participants.
- Didactic Exercises – Specific lessons and authentic scenarios teach skills or prompt awareness.
- Session Closure – The class is closed with an affirmation of the progress of the group, weekly assignments, and a check-out.

### **3. *Who are the Family Violence Education Program's major customers?***

The direct beneficiaries of the program are:

- Individuals arrested for family violence in Connecticut; and
- Domestic violence victims and their children, who benefit from offenders' behavioral and attitudinal modifications as a result of program participation.

### **4. *What measures do you use to tell if the Family Violence Education Program is delivering its services well?***

***How are you doing on the most important of those measures?***

***(Assessment of short-term outcomes of the program)***

There are four primary measures to determine if the FVEP is delivering services well, both on a program management and provider level:

- (1) The length of time offenders wait before service initiation,
- (2) The percent of offenders who do not appear for the first class (No-Show rate),
- (3) The number of offenders who are referred and complete the program, and
- (4) Evaluation surveys completed by the participants.

All measures in this section are based on FY 10/11 data, and include a corresponding performance comparison to prior years.

The **first measure** addresses the wait time to enter the FVEP. Tracking and monitoring of FVEP referrals is required for proper management. Increases in court demand have significant implications for wait lists and the resources required to address the utilization. An analysis of wait time and recidivism conducted by the Judicial Branch in 2010 showed that offenders on a wait list for nine or more weeks had a re-arrest rate ranging from 6-15 %. In contrast, those on a wait list less than nine weeks had a recidivism rate ranging from 1-4%. The wait time to enter the program has, therefore, been reduced significantly in the past several fiscal years. In

2009, the average wait time for services was over 78 days. In FY 10/11 the wait time to enter the program was 51 days, below the established standard.

The **second measure** relates to the number of offenders referred to the program who have not initiated service (No Shows). It is important to engage offenders in interventions as soon as possible. Decreasing the rate of non-compliance is also vital to reducing recidivism. In FY10/11, the no-show rate was 22%, a decrease from 27% in 2009. Efforts to motivate clients to attend the program include a significant collaboration between the FVEP provider and CSSD-Family Services.

The **third measure** examines the completion rate for offenders who start the program. Significant research has demonstrated that receiving the complete treatment dosage correlates with a greater likelihood of changing behavior. Last fiscal year, 85% of the individuals referred completed the FVEP. This completion rate has been relatively consistent over the last several fiscal years and is considered successful given the many complex issues that present as obstacles and barriers for this population.

The **final measure** to assess the quality of program delivery includes a review of the feedback from program participants. An anonymous questionnaire is voluntarily completed by each offender at the conclusion of the FVEP and includes specific questions about the capacity and performance of the program facilitators. Four primary ratings in this area include:

- (1) Percent of offenders who indicated that the program provided practical information and techniques – 92% of the respondents either agreed or strongly agreed.
- (2) Percent of offenders indicating that the facilitators were responsive to questions – 95% of the respondents either agreed or strongly agreed.
- (3) Percent of offenders reporting that the information received in the program was applicable to their current life circumstances – 92 % of the respondents either agreed or strongly agreed.
- (4) Percent of offenders indicating that the facilitators explained things in a way that was understandable – 95% of the respondents either agreed or strongly agreed.

##### **5. *Who are the partners with a major role to play in doing better?***

Domestic violence can be best addressed through a coordinated community response model. The efforts of the following institutions and agencies provide the foundation for all initiatives, including the FVEP, that serve to eliminate criminal behavior:

- Court Personnel: Judges, State's Attorneys, Public Defenders, Family Relations Counselors, Family Violence Victim Advocates and Court Operations Clerks

- Community: Connecticut Coalition Against Domestic Violence, Family Violence Education Program contracted providers; Substance abuse/mental health contracted and non-contracted providers

**6. *What measures do you use to tell if the Family Violence Education Program's customer are better off? How are you doing on the most important of those measures?***

***(Assessment of long-term outcomes of the program)***

Long-term programmatic outcomes are essential to determine if participants have achieved lasting behavior change post-completion.

- Monitor re-arrest rates for family violence on a regular basis.
  - In FY 10/11, the recidivism rate for family violence offenses, twelve months (12) following successful FVEP completion, was 12%. This re-arrest rate has been consistent since RBA outcomes were introduced in 2009. Within research studies on family/domestic violence, re-arrest rates are generally estimated at or above 33%.
  - The most important benefit of this low recidivism rate is experienced by the primary consumers. Eighty-eight percent of the victims and their families will no longer need to interface with the criminal justice system, or experience traumatic re-victimization. This result directly supports the primary goal of the Family Violence Education Program.
- Conduct an anonymous survey to determine an offender's experience in the program. In addition to evaluating the facilitators, the survey queries offenders about positive modifications that have occurred as a result of participation. Three measures that target this change include:
  - Percent of offenders with identified behavior change as a result of program participation –
 

85% of FVEP completers either agreed or strongly agreed with this statement.
  - Percent of offenders learning new skills for non-violent approaches as a result of program participation –
 

92% of FVEP completers either agreed or strongly agreed that they learned new skills to assist them in the future.



- Percent of offenders with positive changes in beliefs and attitudes regarding the inappropriateness of family/domestic violence as a result of program participation –

87% of FVEP completers either agreed or strongly agreed that their beliefs and attitudes towards the use of violence have changed.

These two measures demonstrate that the program has made a positive impact on those completing the FVEP. The logical extension of this would be that it has made a positive impact on the victims and family members of program participants. However, further information would need to be collected to confirm this.

**7. *What works and what could work to do better or to do the least harm in a difficult financial climate?***

- The focus on performance measures and a continuation of positive trends is particularly important during difficult economic times. One major Judicial Branch-Court Support Services Division practice has been continuous quality assurance of the Family Violence Education Program. This includes the programmatic, operational, fiscal, contractual, and statistical areas that impact overall performance. In undertaking a comprehensive approach, the contracted providers are encouraged to meet or exceed quality assurance standards on a local and statewide level. These endeavors have strengthened and enhanced the consistency of service delivery.
- A second significant component was the creation of RBA Risk Reduction Indicators and goals. These measures were developed specifically for the FVEP and are reviewed on a quarterly basis. Program performance is measured against statewide benchmarks, with action plans created for those agencies that fall short of goals. Current outcome measures reflect that goals are being met or exceeded as a result of on-going collaboration and effort.

**Note:** Maintaining adequate capacity in the FVEP program is necessary for its continued success. The \$200 fee paid by defendants for the program does not fully fund the program; state funding is also used. Budget cuts to this area would impact program delivery and create significant challenges.

**8. *What do you propose to do over the next two years?***

- On-going review of current procedures, practices, and contractual obligations
- Identification of training opportunities for FVEP providers to ensure that the latest field research is incorporated into facilitation

- Development of a post-completion anonymous survey for victim input which would be completed in collaboration with the Connecticut Coalition Against Domestic Violence. Information would be requested on a voluntary basis from victims regarding the behavioral and attitudinal modifications made by the offenders and the level of safety they now feel in the relationship. This additional insight would prove beneficial in identifying potential modification to the overall process.

## **Additional Questions Posed by the Legislation**

### ***1) Comparison of FVEP to pretrial services for family violence in other Northeastern states***

In addition to the RBA analysis, P. A. 11-152 requires a comparison of Connecticut's FVEP to pretrial domestic violence interventions offered within the other Northeastern states. The research for this comparison was conducted by Central Connecticut State University - The Institute for the Study of Crime and Justice. The following states were approached as part of this review: Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

A comprehensive overview of the family violence practices used in other Northeastern states was difficult to obtain. An internet search for information regarding each state's court response to domestic violence yielded sparse results. There was no single contact person who was formally assigned to report on the domestic violence programs offered within a state's court process. The individuals who were contacted were only able to provide personal observations and experiences, not a definitive official response. In addition, multiple contacts within the same state sometimes offered conflicting information with regard to their state's domestic violence programs.

At the inception of the Family Violence Prevention and Response Act, Connecticut, after an extensive literature review and consideration, selected a structured graduated sanction strategy to address domestic violence. The benefits of this approach are the standardized court response and the utilization of statewide contracted programs that are monitored and assessed for effectiveness by the Judicial Branch. From the information obtained in this review, it does not appear that a similar practice of graduated sanctions occurs in the other Northeastern states. One common theme presented by other states was that the State's Attorney or Prosecutor processed the cases like any other misdemeanor crimes. Some states had a deferred sentence option but it was unclear how often a community-based batterer intervention program was part of the requirement. In other states, the domestic violence programs designed for the convicted offender are utilized for some pretrial cases. However, specific data regarding how these offenders are

identified was not available, and the states did not offer guidelines regarding the use of this option.

In summary, the application of batterer intervention programs in other states for pretrial cases is not consistent, nor is there a clearly defined model program for this population. Therefore, it is not possible to make a comparison of the Family Violence Education Program to any existing pretrial practice within other Northeastern states.

In conclusion, it appears that Connecticut's FVEP program, with its corresponding low recidivism post-completion rate, compares favorably with other Northeastern states. A more authoritative comparison would require an extensive research study, with funding, to fully understand how similar programs operate in other Northeastern states. This would require formal visits to each of the states to observe the process, review the community-based programming and understand the case outcomes. The researcher would also have better access to data, outcomes for cases disposed, and recidivism tracking. Only at that point could a valid comparison be made.

## ***2) Feasibility and cost of expanding the pretrial Family Violence Education Program beyond nine weeks***

P.A. 11-152 requires the Judicial Branch to assess the feasibility and cost of extending the pretrial Family Violence Education Program beyond the current nine-week format. This analysis explores the impact that expanding the program might have on current practice and the areas of consideration that must be fully explored prior to undertaking such an endeavor. In addition, a discussion regarding the effectiveness of the current nine-week model is necessary to provide a foundation for proposed expansion.

The FVEP was designed as an education-based early response model for the low to moderate risk offender. As indicated in prior sections of this report, the current nine-week program is an effective intervention for the vast majority of referred individuals. The percentage of offenders who complete the program and are not re-arrested in the future demonstrate positive short- and long-term outcomes.

If the FVEP were to be expanded, a new model would need to be developed. It is difficult to determine if adding a random number of additional sessions to the current FVEP model would result in better outcomes than have already been demonstrated by the RBA Risk Reduction Indicators. Any endeavor that would expand and, therefore, impact existing court-based service might have significant consequences that should be taken into consideration. Longer programs for the pretrial population could result in lower completion rates, increased non-compliance, similar or higher re-arrest rates, and an unintended additional risk to victims.

Prior to the expansion of the FVEP, consideration must also be given to the programmatic adjustments that would be inherent when modifying the existing model. These would include a potential shift from an educational format to one that places a greater emphasis on behavioral change; the impact a lengthier program would have on the closed group concept (the number of class participants remains static) versus the need to move to a costlier open-ended model (participants can join the group on any given week); whether the group size would need to be decreased to ensure greater integration of the behavioral change concept; and finally, the need for providers to receive on-going clinical supervision to address potential group dynamics within the expanded program.

The additional cost that would be associated with these conceptual changes must also be contemplated. The exact cost of an expanded program cannot be determined at this time. The content, goals, and length of this program would have to be formulated. Once the components were established, a potential contractor, through the RFP process, would be able to project the cost for service delivery and program management.

In conclusion, implementation of an expanded program would require a significant increase in state funding. In the current fiscal climate, one might question the wisdom of spending state funds to expand a program that has proven to be effective in its current format.

### ***3) Feasibility and cost of extending and expanding the domestic violence EXPLORE and EVOLVE offender programs to all regions of Connecticut***

Public Act No.11-152 also requires the Judicial Branch to assess the feasibility of extending the 26-session EXPLORE program and 52-session EVOLVE domestic violence offender program to all Connecticut court locations. The impact of violence on victims and children, behavior change, interrelation and communication skill-building, and responsible parenting and fatherhood are vital components of these program models. Risk reduction outcomes demonstrate low offender recidivism rates post-program participation and a high completion rate for a six-month intervention. These results mirror the prior research conducted on the EXPLORE and EVOLVE programs by the National Institute of Justice.

These programs are currently designed for and provided to male offenders. To ensure that all individuals have access to this level of intervention, a female offender model would need to be developed and implemented on a statewide basis. The cost for this expanded programming has also been included in the analysis below.

## STATEWIDE EXPANSION OF THE EXPLORE PROGRAM

At present, the EXPLORE program is available in 13 of Connecticut's 20 court locations. Currently, the Judicial Branch budgets \$903,758 per fiscal year for EXPLORE.

The EXPLORE program would have to be added to seven court locations: Bridgeport, Waterbury, Bristol, Enfield, Meriden, Rockville, and Milford. EXPLORE is designed for male offenders and there is also a need to expand the post-plea program for the high risk female defendants in all 20 G.A. courts. The cost to expand the program to these locations, and to incorporate a female offender model, would be:

### Expansion of EXPLORE Male Offender Program

Average \$400.00 per EXPLORE group session

Statewide expansion would require 736 EXPLORE additional group sessions (the exact number dependent upon size of G.A. location)

TOTAL = \$294,400 per fiscal year

### 26-Session Statewide Female Offender Program

Average \$400.00 per FEMALE EXPLORE group session

Requires 1,748 EXPLORE group sessions (the exact number dependent upon size of G.A. location)

TOTAL= \$699,200

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TOTAL FOR EXPANDED SERVICES= \$993,600

Expansion as outlined above would necessitate a total budget of approximately \$1,897,358.00. This is an increase of 110%, as illustrated by the table below.

Funding for additional G.A. locations	Funding required for female offender groups (all G.A. locations)	TOTAL NEW Funding required for expansion	Current Funding FY 11/12	TOTAL Funding	Percentage Increase
\$294,400	\$699,200	\$993,600	\$903,758	\$1,897,358	110%

## STATEWIDE EXPANSION OF THE EVOLVE PROGRAM

The EVOLVE program is limited to four domestic violence dockets: Bridgeport, New Haven, New London, and Waterbury. Currently, the Judicial Branch budgets \$717,343 per fiscal year for EVOLVE.

The EVOLVE program would have to be added to 16 G.A. locations. In addition, the 52-session programming for female offenders would need to be developed on a statewide basis and the cost of expansion can only be estimated at this time. The cost to expand the program to these locations, and to incorporate a female offender model, would be:

### Expansion of EVOLVE Male Offender Program

Average \$400.00 per EVOLVE group session

Statewide expansion would require 3,936 EVOLVE additional group sessions (the exact number dependent upon size of G.A. location)

TOTAL= \$1,574,400 per fiscal year

### 52-Session Statewide Female Offender Program

Average \$400.00 per FEMALE EVOLVE group session

Requires 3,648 EVOLVE group sessions (the exact number dependent upon size of G.A. location)

TOTAL= \$1,459,200

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TOTAL FOR EXPANDED SERVICES= \$3,033,600

Expansion as outlined above would necessitate a total budget of approximately \$3,750,943.00. This is an increase of 422%, as illustrated by the table below.

Funding for additional G.A. locations	Funding required for female offender groups (all G.A. locations)	TOTAL NEW Funding required for expansion	Current Funding FY 11/12	TOTAL Funding	Percentage Increase
\$1,574,400	\$1,459,200	\$3,033,600	\$717,343	\$3,750,943	422%

## **Section II:**

### **Principles and Effectiveness of Domestic Violence Dockets and Related Programs**

#### **Overview of Domestic Violence Dockets**

In 1996, the Judicial Branch established the first specialized docket to hear criminal cases involving domestic violence separately from other criminal cases in Bridgeport. The specialized docket was designed to enhance the safety of domestic violence survivors while improving offender accountability through vertical case management, or a team-oriented coordination of services facilitated by state's attorneys, with ongoing and meaningful judicial oversight. Over the next several years, the Bridgeport domestic violence docket served as a model for other courts across the country, and some components of the Bridgeport model were used in Hartford, New Haven, Stamford, and Waterbury.

In 2004, the Chief Court Administrator established the Statewide Domestic Violence Docket Planning Committee to assess the specialized dockets and, if deemed appropriate, recommend enhancements to current dockets and identify other courts where the specialized dockets could be implemented. The original planning committee included representatives from the following agencies and organizations: the Connecticut Coalition Against Domestic Violence (CCADV), the Connecticut Police Chiefs Association, the Office of Policy and Management (OPM), the Office of the Chief State's Attorney and the Judicial Branch.

In 2006, the Planning Committee conducted an assessment of the remaining courts to determine whether some domestic violence cases could be handled separately in those courts. The Planning Committee recommended the establishment of specialized dockets at Geographical Area (G.A.) 15 in New Britain, G.A. 10 in New London and G.A. 20 in Norwalk. In developing the recommendations, the Planning Committee recognized that specialized services and case scheduling may vary from court to court based upon the availability of resources, and that ongoing technical support at the statewide level was critical if specialized local resources could not be allocated. The Chief Court Administrator established specialized dockets in all three courts, with local court personnel determining which cases should be assigned to each docket.

In 2010, pursuant to a legislative requirement that the Judicial Branch establish three additional dockets (P.A. 10-144), the planning committee identified three additional courts where specialized scheduling might improve the local response to domestic violence: G.A. 3 in Danbury, G.A. 9 in Middletown, and G.A. 11 in Danielson. Assessments of the capacity of each location were performed and all three additional dockets are currently operating.

In total, the Judicial Branch has established special domestic violence dockets to hear certain domestic violence cases separately from other criminal cases in eleven G.A. courts. The eleven docket locations are listed below:

- G.A. 1 at Stamford
- G.A. 2 at Bridgeport
- G.A. 3 at Danbury
- G.A. 4 at Waterbury
- G.A. 9 at Middletown
- G.A. 10 at New London
- G.A. 11 at Danielson
- G.A. 14 at Hartford
- G.A. 15 at New Britain
- G.A. 20 at Norwalk
- G.A. 23 at New Haven

It must be noted that these dockets were not established according to a master plan. In addition, most were established within available resources. While limited federal funding was provided, no additional state funds were provided to the Judicial Branch to establish these dockets. As a result, docket practices and procedures are not consistent statewide. The Statewide Domestic Violence Docket Planning Committee established the goals and benchmarks below to promote consistency of practice and procedure. However, the lack of resources has undermined the achievement of these goals and benchmarks on a statewide basis.

In recent years, while some have advocated for the establishment of additional domestic violence dockets, others have urged further study of the effectiveness of the dockets prior to further expansion. Testimony provided at public hearings on proposed legislation to require additional dockets shows diametrically opposed opinions regarding the effectiveness of domestic violence dockets. This study of the dockets is an attempt to put this debate to rest. However, as will be explored below, additional time and data are needed to address the question of whether domestic violence dockets are effective in reducing further domestic violence.



## **Goals, Fundamental Elements and Critical Components of Domestic Violence Dockets**

Public Act 11-152 requires the analysis of the domestic violence dockets and related programs to include identification of the goals, fundamental elements and critical components of those programs. The Statewide Domestic Violence Docket Planning Committee has established goals and benchmarks for the state's specialized domestic violence dockets in each of the following areas: (1) Assignment of Cases; (2) Vertical Case Management; (3) Judicial Oversight; (4) Victim Advocacy; (5) Intervention Strategies; (6) Local Team Activities; (7) Staff Development; and (8) Quality Assurance. The goals and benchmarks for each area are set forth below.

As noted above, the lack of additional funding for domestic violence dockets has made the achievement of these goals and benchmarks on a statewide basis difficult, if not impossible. The extent to which they have been achieved has not yet been measured on a statewide basis and thus is not included in this report.

### **1. Assignment of Cases**

- A. **Goal:** All pending criminal matters involving family violence, as defined under C.G.S. section 46b-38a, are assigned to a docket that is separate and apart from other criminal matters for the hearing of family violence matters.
- B. **Benchmarks:**
  - 1. Law enforcement personnel properly identify domestic violence cases when completing arrest reports.
  - 2. Domestic violence arraignments are scheduled for the next day that court is in session, and continuances are not granted before the arraignments.
  - 3. Clerks schedule domestic violence cases on the specialized docket.
  - 4. Prosecutors refer domestic violence cases to the docket, even when law enforcement personnel do not identify the cases as involving domestic violence.
  - 5. Domestic violence cases are referred to the Family Violence Intervention Unit for intake assessments.
  - 6. Domestic violence arraignments are conducted before the judge assigned to the domestic violence docket.

### **2. Vertical Case Management**

- A. **Goal:** Each case is handled from arraignment to disposition by the same judge, prosecutor, family relations counselor, and family violence victim advocate.

**B. Benchmarks:**

1. The same judge handles a case from arraignment to disposition.
2. The same prosecutor handles a case from arraignment to disposition.
3. The same family relations counselor handles a case from arraignment to disposition.
4. The same family violence victim advocate handles a case from arraignment to disposition.

**3. Judicial Oversight**

A. **Goal:** The judge monitors the defendant's compliance with court orders through regular court appearances and reports from service providers, while promoting fairness for all parties and stakeholders.

**B. Benchmarks:**

1. There is appropriate judicial monitoring and review throughout the court process by the same judge.
2. The judge has the opportunity to consider the alleged victim's opinion as to whether a protective order should be issued.
3. The judge has the opportunity to review the conditions of the protective order with the defendant on each court date.
4. The judge has the opportunity to review all relevant reports prior to each court appearance.
5. The judge has the opportunity to monitor the defendant's compliance with intervention strategies.
6. The judge has the opportunity to impose appropriate sanctions.

**4. Victim Advocacy**

A. **Goal:** Family violence victim advocates are assigned to each case to guide victims through the court process and to communicate the victim's position to the court throughout the proceedings.

**B. Benchmarks:**

1. Independent victim advocacy.
2. The advocate has the opportunity to meet with a victim prior to the case being called.
3. The advocate communicates the victim's position as to whether a protective order should be imposed, and the conditions of protection that may promote the victim's safety.
4. The advocate refers the victim to appropriate services and domestic violence counseling.

## 5. Intervention Strategies

A. **Goal:** The defendant is required to participate in community intervention services when applicable, to receive counseling in such areas as domestic violence, mental health, and substance abuse.

B. **Benchmarks:**

1. Domestic violence programs are available for all defendants, including pretrial diversion and post-disposition interventions.
2. Mental health counseling is available for all defendants.
3. Substance abuse counseling is available for all defendants.

## 6. Local Team Activities

A. **Goal:** Each docket establishes a team of court personnel, contracted services providers, family violence victim advocates, local law enforcement agencies and other agencies and organizations when applicable.

B. **Benchmarks:**

1. The presiding judge provides guidance in the implementation and management of the dockets.
2. The local docket team includes representation from the following agencies and organizations:
  - a. Adult Probation and Bail Services
  - b. Connecticut Coalition Against Domestic Violence (CCADV) member organizations
  - c. Clerk of the Superior Court
  - d. Contracted service providers
  - e. Department of Children and Families
  - f. Family Services
  - g. Judges of the Superior Court
  - h. Local law enforcement
  - i. Prosecutors
  - j. Public Defenders
3. The local docket team meets annually, or more frequently if necessary, to discuss the management of the docket.
4. The prosecutor considers reports and recommendations from other team members when handling a case that is assigned to the domestic violence docket.
5. The prosecutor facilitates weekly meetings with the following professionals to review cases on the docket:
  - a. Family Relations Counselor
  - b. Family Violence Victim Advocates
  - c. Contracted service providers

- d. Other agencies and service providers, when applicable

## **7. Staff Development**

- A. **Goal:** Appropriate educational opportunities in the area of domestic violence are available for docket personnel.

- B. **Benchmarks:**

- 1. Educational opportunities are available to personnel from the following agencies and organizations.
  - a. Adult Probation and Bail Services
  - b. Connecticut Coalition Against Domestic Violence (CCADV) member organizations
  - c. Clerk of the Superior Court
  - d. Contracted service providers
  - e. Department of Children and Families
  - f. Family Services
  - g. Judges of the Superior Court
  - h. Local law enforcement
  - i. Prosecutors
  - j. Public Defenders
- 2. Educational programs include, but are not limited to, the following information:
  - a. Policies and procedures of C.G.S. sections 46b-1, 46b-15, 46b-38f, inclusive, and 54-1g.
  - b. The function of the family violence intervention units.
  - c. The use of restraining and protective orders.

## **8. Quality Assurance**

- A. **Goal:** Each docket is reviewed by the Statewide Domestic Violence Docket Planning Committee to determine whether the cases are handled most effectively. The statewide review does not include an assessment of domestic violence expertise or the performance of any personnel.

- B. **Benchmarks:**

- 1. A Court Operations Unit designee periodically meets with local docket personnel to identify the availability of resources in the areas below:
  - a. Facilities
  - b. Staffing
  - c. Programs
  - d. Courthouse security
  - e. Educational opportunities
  - f. Translation services

- g. Computers and records maintenance
- 2. All specialized docket dispositions are properly recorded and disseminated in accordance with state and federal law.
- 3. All cases assigned to the specialized docket that are properly disposed family violence offenses are reported in accordance with C.G.S. section 46b-38h.
- 4. All family violence cases are pending on the specialized docket for a duration that is similar to domestic violence cases that are handled on the regular criminal docket.
- 5. The waiting period for entrance into intervention programs through the specialized docket is similar to the waiting period for domestic violence cases that are handled on the regular criminal docket.
- 6. The number of defendants that are arrested for criminal violation of a protective order while the underlying case is pending on the specialized docket is less than the number of defendants with domestic violence cases that are handled on the regular criminal docket.
- 7. The number of defendants who are subsequently arrested for family violence crimes after intervention on the specialized docket is less than the number of defendants with domestic violence cases that are handled on the regular criminal docket.
- 8. Local docket personnel report that the current operation of the specialized docket is an effective method for handling domestic violence cases.
- 9. The information below is available for periodic review.
  - a. Data from family violence offense reports provided to the Commissioner of Public Safety pursuant to C.G.S. section 46b-38d.
  - b. The percentage of community intervention services that are utilized.
  - c. The number of cases that receive a nolle prosequi.
  - d. The number of cases that receive a nolle prosequi after court intervention.
  - e. The number of hearings on extension of protective orders.

## **Results-Based Accountability Assessment of Connecticut's Domestic Violence Dockets and Related Programs**

**Note:** for purpose of this analysis, "Related Programs" means the EVOLVE and EXPLORE programs.

### **1. *What is the quality of life result to which domestic violence dockets and related programs make the most important contribution?***

- All family members, past or present intimate partners, and those individuals involved in cohabitating relationships will live free from domestic violence and abuse.
- Connecticut residents live in safe communities.

### **2. *What do domestic violence dockets and related programs contribute to this result?***

- The primary purpose is to hold domestic violence offenders accountable for their actions and to reduce the risk that those offenders will engage in further violence, thereby enhancing victim safety.
- A secondary purpose is to enhance communication with and services to domestic violence victims.

To accomplish these purposes, domestic violence dockets must provide expanded judicial oversight, vertical case management, enriched collaborations and information sharing, referrals to offender interventions such as the EVOLVE and EXPLORE programs, and increased services for victims and their children.

### **3. *Who are domestic violence dockets' and related program's major customers?***

- Individuals arrested for family violence in Connecticut; and
- Domestic violence victims and their children, who benefit from offenders' behavioral and attitudinal modifications as a result of program participation.

### **4. *What measures can be used to tell if domestic violence dockets and related programs are delivering their services well? How are you doing on the most important of these measures?***

- The percentage of domestic violence cases that are referred to a domestic violence docket
- The frequency of times the defendant is required to appear in court
- The timely issuance and distribution of protective orders
- The ability of domestic violence victims to meaningfully participate in the court process and to access services
- An increase in information sharing and collaboration among key criminal justice and community-based agencies and service providers

- The number of offenders referred to EVOLVE and EXPLORE
- The number of days offenders wait prior to begin the EVOLVE and EXPLORE programs

The Judicial Branch currently has limited data on these measures. This lack of data is partially due to the limitations of the outdated Criminal/Motor Vehicle computer system. It is also partially due to the fact that RBA has not yet been implemented for domestic violence dockets. This process has begun with this study, but it is far from complete. Additional time and resources are necessary to collect much of the data needed.

The data needed for the first three measures above is fairly straightforward and the Judicial Branch will continue to work on assembling that data. The data needed for the fourth and fifth measures is more difficult to collect but the Judicial Branch will work to identify ways to collect that data. The data for the sixth and seventh measures is available:

- Number of offenders referred to EVOLVE and EXPLORE  
1,394 to the EXPLORE program, 563 to the EVOLVE program
- Number of days offenders wait prior to initiation of family/domestic violence program  
EXPLORE (40 days) and EVOLVE (47 days)

**5. *What measure could be used to tell if the program's customers are better off? How well are we doing on the most important of those measures?***

- Reduction in family violence recidivism 12 months post domestic violence docket disposition, as compared to non-domestic violence docket sites
- Increased access to advocacy for victims of domestic violence
- Increased victim safety both during and after the case is disposed, as compared to non-docket sites
- The percentage of offenders in the domestic violence docket who are complying with court-ordered conditions, including participation in programs

As noted above for the delivery of service measures, the Judicial Branch currently has limited data on these measures. This lack of data is partially due to the limitations of the outdated Criminal/Motor Vehicle computer system. It is also partially due to the fact that RBA has not yet been implemented for domestic violence dockets. This process has begun with this study, but it is far from complete. Additional time and resources are necessary to collect much of the data needed.

We do have some of the data necessary to determine if the customers of the EVOLVE and EXPLORE programs are better off:

- Family/domestic violence re-arrest rates 12 months post 26- or 52-session program completion

#### EXPLORE (16%) and EVOLVE (13%)

- Percent of offenders with identified behavior change as a result of program participation (determined through a participant survey)  
50% of EXPLORE completers strongly agree and 40% agree  
79% of EVOLVE completers strongly agree and 21% agree
- Percent of offenders learning new skills for non-violent approaches as a result of program participation (determined through a participant survey)  
54% of EXPLORE completers strongly agree and 37% agree  
72% of EVOLVE completers strongly agree and 28% agree
- Percent of offenders with positive changes in beliefs and attitudes regarding the inappropriateness of family/domestic violence as a result of program participation (determined through a participant survey)  
48% of EXPLORE completers strongly agree and 41% agree  
76% of EVOLVE completers strongly agree and 24% agree

#### **6. *Who are the partners with a major role to play in this program?***

Domestic violence can be best addressed through a coordinated community response model. The efforts of the following institutions and agencies provide the foundation for all initiatives, including domestic violence dockets and the EVOLVE and EXPLORE programs, that serve to reduce domestic violence.

- Criminal Justice System Personnel: Judges, State's Attorneys, Public Defenders, Family Relations Counselors, Bail Commissioners, Adult Probation Officers, Family Violence Victim Advocates, Judicial Marshals, Police, Private Attorneys
- Community: Law enforcement, Domestic Violence Victim Advocates, contracted and non-contracted community-based service providers, Department of Mental Health and Addiction Services, Department of Children and Families and other state agencies, medical professionals and educational systems.

#### **7. *What works and what could work to do better or to do the least harm in a difficult financial climate?***

- Continued oversight by the Statewide Domestic Violence Docket Planning Committee
- On-going quality assurance of the Domestic Violence Docket courts
- Begin planning a formal research initiative (utilizing an experimental design) of the dockets
- Continue to review statistics/risk reduction indicators and benchmarks for the Domestic Violence Docket court and the related services/programs
- Ensuring the availability of domestic violence programming



- Partnering with state and community-based agencies for the advocacy and services needed by both offenders and domestic violence victims

**Note:** Maintaining adequate capacity in state and community-based services used by domestic violence offenders and victims is critical to the success of domestic violence victims. Budget cuts impacting these services would impact program delivery and create significant challenges.

#### **8. *What do you propose to do over the next two years?***

- Explore ways to enhance data collection
- Review current practices and associated resource needs within established Domestic Violence Docket courts
- Identify training opportunities for Domestic Violence Docket courts
- Investigate use of surveys for participants post-case disposition in collaboration with external stakeholders
- Continue to hold regular meetings with the individual domestic violence dockets to enhance collaboration and provide solutions for challenges
- Provide local educational opportunities regarding domestic violence docket goals and benchmarks
- Provide periodic updates to Administrative Judges in domestic violence docket districts

### **Summaries of National Research**

The effectiveness of domestic violence dockets has been the subject of three significant studies. We are providing short summaries of those studies and have also included the links to the full studies

#### **SUMMARY**

##### **“TWO DECADES OF SPECIALIZED DOMESTIC VIOLENCE COURTS”**

**CENTER FOR COURT INNOVATIONS -- November 2009**

<http://www.vaw.umn.edu/documents/specializeddvcourts/specializeddvcourts.pdf>

This literature review outlines the major research findings regarding the core components and effectiveness of domestic violence dockets. The comprehensive overview addresses a vast majority of the elements associated with implementation and the overall impact of specialized domestic violence courts and dockets.

- It is difficult to identify one uniform procedural model among domestic violence courts nationwide but many share common goals: efficient case processing, coordinated response, informed decision making, offender accountability, reduced recidivism, and victim safety/services
- Several process evaluations have linked court collaboration to greater service access for victims, improved information sharing with the Court, and better development of evidence by prosecution
- The most recent national survey of domestic violence courts found that 84% have one or two dedicated judges to the docket
- In terms of domestic violence conviction rates, the literature is ambiguous with some citing increased rates while other found no significant relationship/impact
- There is widespread agreement that domestic violence courts are more likely than non-specialized courts to mandate offenders to a wide range of special conditions/interventions
- Judicial monitoring significantly increased the likelihood and severity of penalties for non-compliance
- Research indicates that domestic violence courts are more likely than non-specialized courts to enforce court orders through the imposition of sanctions for non-compliance, including incarceration
- The literature confirms that domestic violence courts are more likely to connect victims to services than non-specialized courts and that victims have positive perceptions of these dockets
- The results are inconclusive regarding the ability of domestic violence courts to reduce recidivism. Few studies have been conducted regarding the effectiveness of these practices and barely any utilize an experimental design.
- Further investigation is needed to determine how these courts can effectively deter re-offending

The review outlined the positive aspects of domestic violence dockets, especially as it relates to offender accountability and connecting victims with vital services. The inability to demonstrate effectiveness, as measured by a reduction in recidivism, was a significant limitation, as well as the lack of consistency regarding domestic violence docket practices across the county. The need for additional research in this field was identified as a high priority in the future.

## SUMMARY

### “THE JUDICIAL OVERSIGHT DEMONSTRATION”

US DEPARTMENT OF JUSTICE OVA -- February 2009

<https://www.ncjrs.gov/pdffiles1/nij/224201.pdf>

This article is the culminating report on the evaluation of the Judicial Oversight Demonstration Project (JOD), which consisted of three sites where criminal justice agencies and community based agencies serving victims and offenders formed partnerships to work collaboratively to support an effective response to intimate partner violence incidents. The initiative placed a special focus on the role of the court, and specifically the judge, in facilitating offender accountability in collaboration with both service providers and other criminal justice agencies. The JOD core elements included: 1) consistent response to domestic violence offenses; 2) coordinated victim advocacy and services, and 3) strong offender oversight and accountability.

- Judicial Oversight Demonstration (JOD) produced mixed results in terms of recidivism reduction. As a result, **NO** general effects on repeat intimate partner violence can be inferred by JOD
- JOD positively impacted offender accountability and increased compliance with orders regarding regular reporting to court and attendance at the batterer intervention program
- JOD participation resulted in additional sanctions for violating court-ordered conditions/requirements (i.e., missing batterer intervention program sessions)
- Victims in JOD were satisfied with the response of police, prosecutors and court personnel
- Victims in all sites reported moderately high levels of safety and well being 11 months post incident
- JOD lead to improvements in monitoring offenders and increased compliance review that were not previously achieved without this coordinated response
- Reductions in repeat intimate partner violence occurred in the jurisdictions that revoked offenders for non-compliance
- JOD strategies were particularly effective for some subgroups, including offenders with extensive arrest history (7 or more arrests) and younger offenders (ages 18-29)

The JOD was designed to test the impact of a coordinated response to intimate partner violence. The results of this initiative were mixed, especially as it relates to recidivism rates for the offenders. The positive aspects were the focus on judicial oversight by the Judge and assigned court personnel, the use of JOD to ensure offender compliance and referral to batterer intervention programs, and the connection of the victim to community advocacy.

## **SUMMARY**

### **“A NATIONAL PORTRAIT OF DOMESTIC VIOLENCE COURTS”**

**CENTER FOR COURT INNOVATIONS -- December 2009**

[http://www.courtinnovation.org/sites/default/files/national\\_portrait.pdf](http://www.courtinnovation.org/sites/default/files/national_portrait.pdf)

This research article represents an overview of the domestic violence courts across the country, specifically their evolution, rationale for existence, and how these courts vary in design within the United States.

- Research demonstrated a trend toward establishing domestic violence courts despite the lack of national oversight or a network of these courts
- The goals of the domestic violence courts were universally victim safety and offender accountability
- Great diversity was found in how courts were set up, what a typical case would look like, what services were offered to victims, and the kinds of sentences and conditions that were imposed on offenders
- The use of batterer intervention programs varied widely, with some courts using them extensively while others rarely order this service
- There was a wide range in the frequency of judicial monitoring and the content of judicial review hearings
- Courts also take a variety of approaches to victim advocacy, with some offering services at the court location and others preferring victims to work with advocates only in the community
- A frequently reported challenge to the process was the difficulty of involving the victims in the prosecution. Across the board, courts reported that victims wish the charges to be dropped in many cases.
- The study suggested that there is an identified need for more in-depth research on the role of specific practices. This includes risk assessments, court process, recidivism rates, and victim cooperation

The findings associated with this research detailed that vast differences were found within domestic violence dockets across the country. This article did not address the issue of effectiveness, but identified the components that are typically identified as best/promising practices. The main theme of this literature and process review was the need for further research, and a common set of core goals, policies, and practices.

## **Conclusion:**

The Judicial Branch has a longstanding commitment to addressing domestic violence in a research-based meaningful way. We believe that the analyses that the Branch conducted pursuant to P.A. 11-152 have provided a wealth of information that can guide our state as it strives to achieve the quality of life result set out in the RBA analysis – that all family members, past or present intimate partners and individuals involved in a cohabiting relationship will live free from domestic violence and abuse.

Based on the analyses summarized in this report, the Judicial Branch offers the following conclusions:

- The Family Violence Education Program is working well and should not be changed. The RBA analysis shows that the program is very effective in its primary goal of preventing family violence recidivism, and a review of other states has not identified a program that does a better job. We believe that the reduction in recidivism has a beneficial impact on domestic violence victims because they experience less violence, but we do not have direct input from victims on that point. Further study may be beneficial; a study of this type would require collaboration with our partners and additional funding.
- We have been unable to identify any evidence to support the idea that the Family Violence Education Program should be expanded beyond 9 weeks and conclude that it should retain its current format.
- The EVOLVE and EXPLORE programs are effective, and expanding these programs statewide would allow more offenders to benefit from them. Adequate additional funding to the Judicial Branch is necessary in order to expand those programs; the specific costs have been set forth in this report.
- Domestic Violence Dockets: The most important goal of the dockets is the long-term reduction of domestic violence. While studies show that the dockets are effective at increasing offender accountability and connecting victims with services during the pendency of the case, further research is necessary to demonstrate whether they are effective in reducing recidivism in the long-term. The Judicial Branch has begun an RBA analysis to get at this question, but additional time and resources are needed to complete this analysis. Additional domestic violence dockets should not be established until after the completion of this research and analysis.